

REMARKS

Claims 2, 4, 5, 12, 14, 16, 26-28, 31, 33-36, 45-51, 53-58, 64, 65, 68, and 69 were previously pending in this Application. Claims 34, 35, 36, 68, and 69 are withdrawn from consideration by the Examiner at this time, and claims 2, 4, 5, 12, 14, 16, 26-28, 31, 33, 45-51, 53-58, 64, and 65 stand rejected by the Examiner. By this Amendment, claims 2, 4, and 5 have been amended, and no claims have been canceled or added. As a result, claims 2, 4, 5, 12, 14, 16, 26-28, 31, 33, 45-51, 53-58, 64, and 65 are pending for examination. No new matter has been added to the present Application by this Amendment.

Each of the rejections levied in the outstanding Office Action is addressed individually below.

Rejection under 35 U.S.C. § 112

Claims 2, 4, 5, 12, 14, 16, 26-28, 31, 33, 45-58, 64, and 65 have been rejected by the Examiner under § 112, second paragraph, for lack of antecedent basis for the term “R₄”. Applicant respectfully submits that the definition of R₄ is needed in these claims because the definition of A' includes -N(Q-R₄)-, which includes R₄. Applicant, therefore, requests that the Examiner withdraw this rejection.

Rejection under 35 U.S.C. § 103

Claims 1-5, 7, 8, 12, 13-33, and 37 have been rejected by the Examiner under § 103 as being unpatentable over Japanese patent application JP 09208584 to Namba *et al.* (“Namba”), in view of Wermuth *et al.*, “Molecular variations based on isosteric replacements,” *The Practice of Medicinal Chemistry*, pp. 203-237, 1996 (“Wermuth”). Applicant respectfully submits that the claimed invention as amended is not obvious in light of Namba in view of Wermuth. Specifically, the amended claims do not include the possibility of R₁' or R₁'' being alkenyl or alkyl substituted by a halogen. Applicant respectfully requests that the rejection be removed.

Obviousness-type Double Patenting

The Examiner provisionally rejected claim 2 on the ground of nonstatutory obviousness-type double patenting over claim 2 of co-pending U.S. patent application, U.S.S.N. 11/595,895. However, the '895 application has nothing to do with the chemical arts. Applicant thus submits that this rejection is in error and requests that the Examiner remove the rejection or correct the serial number.

The Examiner has also provisionally rejected claim 33 on the ground of nonstatutory obviousness-type double patenting over claim 1 of co-pending U.S. patent application, U.S.S.N. 11/883,665. Applicant requests that the present Application being the earlier filed case be allowed to issue and any double patenting issues be dealt with in the later filed case.

The Examiner has provisionally rejected claim 2 on the ground of nonstatutory obviousness-type double patenting over claim 2 of co-pending U.S. patent application, U.S.S.N. 11/595,049. However, the '049 application has nothing to do with small organic molecules, instead it is focused on thin film batteries. Applicant thus submits that this rejection is in error and requests that the Examiner remove the rejection or correct the serial number.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 23/2825, under Docket No. C1271.70044US02, from which the undersigned is authorized to draw.

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Respectfully submitted,

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